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TO: Mail Stop Issue Fee  
USPTO FACSIMILE NO.: (571) 273-8300  
USPTO REFERENCE: Applicants: Gene Mason et al.  
Serial No.: 10/679,963  
Filed: October 6, 2003  
Title: OPTICAL PROBE INCLUDING  
PREDETERMINED EMISSION WAVELENGTH  
BASED ON PATIENT TYPE

ATTORNEY: John M. Grover  
PHONE NO.: (949) 721-2946  
ATTORNEY DOCKET NO.: MASIMO.353A  
TOTAL PAGES: 5 (INCLUDING COVER SHEET)  
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DATE: May 12, 2006

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■ TRANSMITTAL LETTER IN 1 PAGE

■ AMENDMENT IN RESPONSE TO NOTICE  
OF DRAWING INCONSISTENCY WITH  
SPECIFICATION DATED APRIL 14, 2006  
IN 3 PAGES

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Docket No.: MASIMO.353A

Page 1 of 1

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**AMENDMENT / RESPONSE TRANSMITTAL**

Appl. No. : 10/679,963  
Applicants : Gene Mason et al.  
Filed : October 6, 2003  
TC/A.U. : 3735  
Examiner : Eric F. Winakur

Title : **OPTICAL PROBE  
INCLUDING  
PREDETERMINED  
EMISSION WAVELENGTH  
BASED ON PATIENT TYPE**

Docket No. : MASIMO.353A  
Cust. No. : 20,995

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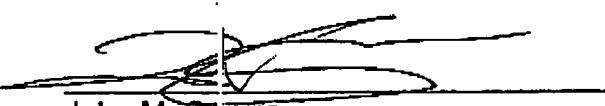
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Sir:

Transmitted herewith for filing in the above-identified application is the following  
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- (X) an Amendment in Response to Notice of Drawing Inconsistency with  
Specification dated April 14, 2006 in 3 pages

Please charge any additional fees, including any fees for additional extension of  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**AMENDMENT IN RESPONSE TO NOTICE OF DRAWING  
INCONSISTENCY WITH SPECIFICATION DATED APRIL 14, 2006**

Sir:

In response to the Notice Of Drawing Inconsistency With Specification Dated  
April 14, 2006, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.